

House Bill 486 (AS PASSED HOUSE AND SENATE)

By: Representatives Meadows of the 5th, Maxwell of the 17th, Benton of the 31st, Buckner of the 130th, and Gordon of the 162nd

A BILL TO BE ENTITLED
AN ACT

To amend Article 5 of Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits, disability benefits, and spouses' benefits under the Superior Court Clerks' Retirement Fund of Georgia, so as to provide that persons who become members on or after July 1, 2010, shall not be entitled to credit for service as a deputy clerk; to provide an exception; to provide for a death benefit; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 14 of Title 47 of the Official Code of Georgia Annotated, relating to retirement benefits, disability benefits, and spouses' benefits under the Superior Court Clerks' Retirement Fund of Georgia, is amended by revising Code Section 47-14-77, relating to service for which no credit may be received for retirement purposes, by adding a new subsection to read as follows:

"(d)(1) Notwithstanding any other provision of this chapter to the contrary, and except as provided in paragraph (2) of this subsection, a clerk who first or again becomes a member of this retirement fund on or after July 1, 2010, shall not be entitled to receive credit for any purpose for prior service as a deputy clerk.

(2) Any person who is serving as chief deputy clerk on July 1, 2010, and who, without a break in service, became the clerk of the same court may receive creditable service for such service as provided in Code Section 47-14-70 by making application to the board of trustees in such manner as the board deems appropriate and paying to the board of trustees an amount determined by the board of trustees to be sufficient to cover the full actuarial cost of granting such creditable service. Such application and payment shall be made not later than six months after such person became a clerk of the court."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"47-14-79.

A death benefit in the amount of \$5,000.00 shall be paid to the designated beneficiary of any member who dies in service. In the absence of a designated beneficiary, such amount shall be paid to the deceased member's estate. For members eligible for a surviving spouse's benefit, such amount shall be in addition to the benefit provided pursuant to Code Section 47-14-72."

SECTION 3.

This Act shall become effective on July 1, 2010, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2010, as required by subsection (a) of Code Section 47-20-50.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.